

February 23, 1929.
[H. R. 13882.]
[Public, No. 797.]

CHAP. 299.—An Act To extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska.

Alaska.
Agricultural experi-
ment stations and ex-
tension work extended
to.

Vol. 24, p. 440.

Vol. 38, p. 372.

Proviso.
Estimates required.

Maintenance of two
experiment stations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following Acts, to wit, an Act entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July 2, 1862, and of the Acts supplementary thereto," approved March 2, 1887, as amended and supplemented, and known as the Hatch Act; and an Act entitled "An Act to provide for cooperative extension work between the agricultural colleges in the United States receiving the benefits of an Act of Congress approved July 2, 1862, and of Acts supplementary thereto, and the United States Department of Agriculture," approved May 8, 1914, and known as the Smith-Lever Act, be, and the same are hereby, extended to the Territory of Alaska: *Provided*, That no appropriations shall be made under this Act until annually estimated as to funds and amounts by the Secretary of Agriculture; the estimates to be based upon his determination of the ability of the Territory of Alaska to make effective use of the funds.

With the approval of the Secretary of Agriculture, agricultural experiment substations, to the number of not more than two, may be maintained under the provisions of the Hatch Act.

Approved, February 23, 1929.

February 23, 1929.
[H. R. 13692.]
[Public, No. 798.]

CHAP. 300.—An Act Authorizing the Coos (Kowes) Bay, Lower Umpqua (Kalawatset), and Siuslaw Tribes of Indians of the State of Oregon to present their claims to the Court of Claims.

Coos Bay, Lower
Umpqua, and Siuslaw
Indians, Oreg.
Claims of, against
United States, sub-
mitted to Court of
Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the Court of Claims to hear, examine, adjudicate, and render final judgment in any and all legal and equitable claims of the Coos (or Kowes) Bay, Lower Umpqua (or Kalawatset), and Siuslaw Indian Tribes of the State of Oregon against the United States arising under or growing out of the original Indian title, claim, or rights of the said tribes (with whom no treaty has been made), in, to, or upon the whole or any part of the lands and their appurtenances occupied by said tribes in 1848 and long prior thereto, and embraced within the following description, to wit:

Description of lands
affected.

Beginning at a point of rocks, known as Five Mile Point, in section 19, township 27 south of range 14 west of the Willamette meridian, Coos County, Oregon; and running thence north along the coast of Oregon, to the mouth of a creek, known as Ten Mile Creek, in section 27, township 15 south, range 12 west, Lane County, Oregon; thence east on the water shed between the waters of the Alsea and the Siuslaw Rivers to the summit of the Coast Range Mountains in township 26 south, range 7 west; thence in a southeasterly direction along the summit of said mountains, the same being the southwest boundary of the lands ceded by the Calapooia and Willamette Tribes of Indians to the junction of the Calapooia Range, near the headwaters of the Siuslaw River, in township 21 south, range 4 west; thence in a westerly direction following the summit of the ridge between the waters of the Smith and the Umpqua Rivers, the same being the north boundary of the lands ceded by the Umpqua and the Calapooia Indians, to a point due north of the head of tide-water on the Umpqua River; thence south across the Umpqua

River to the summit of the mountains dividing the waters of Camp Creek from the waters of the Umpqua River, the same being the west boundary of the lands ceded by the Umpqua and Calapooia Indians; thence in a southeasterly direction along the summit of the Coast Range Mountains, following the southwest boundary of the lands ceded by the Umpqua and the Calapooia Indians, to the summit of the divide separating the waters of Looking Glass Creek from the waters of the South Fork of Coos River in township 27 south, range 8 west, Douglas County, Oregon; thence west to the point of beginning, which lands and the appurtenances thereunto belonging, including, among other things, claimants' original means of securing a living thereon and therefrom by hunting, fishing, and otherwise, the said tribes claim were taken from them, and appropriated by the United States to its own use, in or about the year 1855, without any treaty cession or agreement, and without compensation to the tribes therefor.

SEC. 2. In any suit instituted hereunder the Court of Claims shall have authority to determine and adjudge the rights, both legal and equitable, of the claimants in the premises, notwithstanding lapse of time or statutes of limitation; and the right of appeal to the Supreme Court of the United States is hereby granted to both parties.

Jurisdiction of Court.

SEC. 3. The court shall also hear, examine, consider, and adjudicate any claim or claims, including gratuities, which the United States may have against the said tribes properly chargeable in such suit; but any payment or payments which have been made by the United States upon any claim or claims of the tribes shall not operate as an estoppel but may be pleaded by way of set-off; and any other tribes or bands of Indians which the court may deem necessary to a final determination of such suits may be joined therein as the court may order.

Counterclaims to be considered.

SEC. 4. If in any suit instituted hereunder for the value of unceded lands taken, sold, or disposed of by the United States it be determined by the court that the Indians are entitled to recover judgment, the price of such lands shall be limited to \$1.25 an acre, except as to any tracts that have been actually sold or disposed of under laws enacted by Congress establishing higher prices; in which case the court may be governed by the latter prices.

Determination by Court of value of unceded lands taken.

SEC. 5. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit be instituted or petition, subject to amendment, filed as herein provided in the Court of Claims within five years from the date of the approval of this Act; and such suit or suits shall make the Coos (Kowes) Bay, Lower Umpqua (Kalawatset), and Siuslaw Tribes of Indians of the State of Oregon party or parties plaintiff and the United States party defendant.

Time for filing petition.

Parties to suit.

The petition shall be verified by the attorney or attorneys employed to prosecute such claim or claims under contract with the Indians approved in accordance with existing law.

Verification.

Official letters, papers, documents, maps and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give to the attorney or attorneys so employed access to such treaties, papers, maps, correspondence and reports as they may require in the preparation or prosecution of any suit or suits instituted hereunder.

Evidence admitted.

SEC. 6. Upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per centum of the recovery, together with all necessary and proper expenses incurred in the preparation and

Attorneys fees to be included in decree.

Balance to credit of
Indians for their bene-
fit.

No per capita pay-
ment.

prosecution of such suit or suits, to be paid to the attorney or attorneys employed, as herein provided, by the said tribes, and the same shall be included in the decree, and be paid out of any sum or sums adjudged to be due, the balance to be placed in the Treasury of the United States, to the credit of said tribes, where the money shall draw interest at the rate of 4 per centum per annum until paid and shall be thereafter subject to appropriation by Congress for educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians.

Approved, February 23, 1929.

February 23, 1929.

[H. R. 11469.]

[Public, No. 799.]

CHAP. 301.—An Act To authorize appropriations for construction at the United States Military Academy, West Point, New York.

Military Academy.
Sum authorized for
buildings, etc., at.
Post, p. 1368.

Provisos.
New cadet barracks.
Post, p. 1368.

Architects author-
ized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated not to exceed \$672,000 to be expended for the construction and installation at the United States Military Academy, West Point, New York, of such buildings, utilities, and appurtenances as may be necessary as follows: For officers' quarters, \$507,000; for noncommissioned officers' quarters, \$165,000: *Provided*, That the new cadet barracks heretofore authorized to be constructed shall be erected on the site of the old cadet mess hall, the street face of the said barracks to be in prolongation of the street face of the west academic building, leaving an open area on the north side of said barracks so that the said barracks can be supervised from the present south cadet guardhouse: *And provided further*, That the Superintendent of the United States Military Academy, West Point, New York, with the approval of the Secretary of War, is authorized to employ architects to draw the necessary plans and specifications from funds herein authorized, when appropriated.

Approved, February 23, 1929.

February 23, 1929.

[H. R. 8901.]

[Public, No. 800.]

CHAP. 302.—An Act To amend and further extend the benefits of the Act approved March 3, 1925, entitled "An Act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have or claim to have against the United States, and for other purposes."

Kansas or Kaw In-
dians.
Vol. 43, p. 1133,
amended.

Claims of, against
United States, to be
adjudicated by Court
of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have or claim to have against the United States, and for other purposes" approved March 3, 1925 (Forty-third Statutes at Large, page 1133), be, and the same is hereby, amended and reenacted so as to read as follows:

"SECTION 1. That jurisdiction be, and is hereby, conferred upon the Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims which said Kansas or Kaw Tribe of Indians may have or claim to have against the United States, growing out of or arising under any treaty or agreement